

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SUNRISE MEDICAL HHG, INC.,
Plaintiff,

v.

Civil Action No. 06-12412
Judge Avern Cohn

JEFFREY JACOBS and
GF HEALTH PRODUCTS, INC.
Defendants.

**ORDER SETTING DATE FOR COMPLETION OF DISCOVERY AND
REQUEST FOR SUBMISSION OF SUPPLEMENTAL BRIEFS REGARDING
DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

Defendants have brought a motion for summary judgment, and a hearing is scheduled for October 25, 2006. Plaintiff however requested additional time to conduct discovery prior to responding. On October 18, 2006, the Court extended plaintiff's time to respond to defendant Jacobs' first set of discovery requests, until October 27, 2006. Clearly, the parties have not completed discovery. Consideration on the matter will be deferred for thirty (30) days to allow the parties to complete discovery.

Additionally, each party shall provide the Court with a supplemental brief advising of their position concerning the enforceability of the competition agreement as follows: plaintiff shall address the enforceability of the competition agreement under Wisconsin law; and defendants shall address the enforceability of the competition agreement under Michigan law. The briefs shall be submitted at the close of discovery.

In light of the Court's request for supplemental submissions, the hearing on Defendants' motion for summary judgment is adjourned until further notice from the Court.

SO ORDERED.

Dated: October 23, 2006

s/Avern Cohn
AVERN COHN
UNITED STATES DISTRICT JUDGE

I hereby certify that a copy of the foregoing document was mailed to the parties of record on this date, October 23, 2006, by electronic and/or ordinary mail.

s/Julie Owens
Case Manager, (313) 234-5160